

United States Senate

WASHINGTON, DC 20510

March 29, 2021

VIA ELECTRONIC TRANSMISSION

The Honorable Xavier Becerra
Secretary
U.S. Department of Health & Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Becerra,

As the Ranking Members of the Appropriations Subcommittee and authorizing Committee that oversee the Department of Health and Human Services, we are writing today to request further information on funding provided to the Department in the American Rescue Plan Act of 2021, Public Law 117-2. This bill provided nearly \$145 billion in funding to the Department, but did not require that any detailed expenditure plan or periodic obligations reports are shared with Congress. This means that the Department has the ability to spend this money unchecked and it makes it unduly difficult for Congress to provide much needed oversight of this funding.

In 2020, Congress passed, in a bipartisan manner, five COVID-19 supplemental spending bills. Each of these bills included a requirement for the Department to provide the Appropriations Committee a spend plan and periodic obligations reports. Specifically, the previous COVID-19 supplemental appropriations bills required that within 30 days of enactment, the Secretary provide a detailed spend plan of anticipated uses of funds made available, including estimated personnel and administrative costs.

Unfortunately, the American Rescue Plan Act did not include such a provision, which makes it difficult for the Committees of jurisdiction to provide appropriate oversight of the Department's spending. We request that the Department uphold the spend plan and obligations requirements under the previous COVID-19 supplemental bills for the funds made available by the American Rescue Plan Act passed earlier this month. As the responsibility to provide oversight of these funds spans Committees' jurisdiction, we request that both the spend plan and obligation reports be submitted to the Labor, Health and Human Services, Education and Related Agencies Appropriations Subcommittee and the Committee on Health, Education, Labor, and Pensions.

Further, as with the previous COVID-19 supplemental bills, we request spend plans of the funds made available by the American Rescue Plan Act to be updated and submitted every 60 days until funds are expended. In addition, the spend plans should be accompanied by a listing of each contract obligation incurred that exceeds \$5 million which has not previously been reported, including the amount of each such obligation. This provision was also included in the Coronavirus Response and Relief Supplemental Appropriations Act passed in December. Such spend plans should also include details on the funding that has already been obligated by the Department.

Additionally, in keeping with the precedent set in the previously passed supplemental bills, we request the obligation reports be updated and provided to the Committees weekly. Obligations of funds provided through the American Rescue Plan Act should be tracked separately from obligations of funds provided through

the previous COVID-19 bills, as funding in the reconciliation bill does not align with funding in the same appropriations accounts as the previous COVID-19 supplemental bills.

Finally, we would appreciate that requested obligation reports are accompanied by information on drawdowns by recipients of funding. It is important that the Committees have transparency over the rate by which the Department is spending this funding, but it is equally as important for the Committees to know how fast recipients are drawing down this funding. This information will allow the Committees to continue its oversight activities and ensure that taxpayer funds are used in an appropriate manner.

We appreciate your assistance with this matter.

Sincerely,



Roy Blunt
Ranking Member
Labor, Health and Human Services,
Education and Related Agencies
Appropriations Subcommittee



Richard Burr
Ranking Member
Health, Education,
Labor and Pensions
Committee